



May 22, 23, 24

Teaching assistants to vote on union issue

A Poll is to be held next Wednesday, Thursday and Friday, May 22-24, by order of the Ontario Relations Board, to determine whether the Graduate Assistants' Association of the University of Toronto shall in future be the exclusive bargaining agent of all teaching assistants on campus.

The unit, as presently defined, would include the following: "All teaching

assistants, teaching fellows, demonstrators, tutors, markers, instructors and laboratory assistants who are undergraduate students, and graduate students in the School of Graduate Studies of the University of Toronto."

The persons entitled to vote are those who were employed in the voting constituency on April 14, 1974, who have not voluntarily terminated their employment or who have not been discharged for

cause between April 14, 1974, and the date of the vote.

Polling booths will be established in the places and at the times given in the schedule on page 2. An additional polling booth will be open in Convocation Hall from 9 a.m. till 5 p.m. on Friday, May 24, for those unable to vote on the previous two days.

The following statement was issued today by A.G. Rankin, vice-president, business affairs.

The Graduate Assistants' Association applied for Certification before the Ontario Labour Relations Board on March 5, 1974, and requested that it be named the exclusive bargaining agent for the following unit of employees:

"All employees of the Respondent engaged in teaching or related activities at the University of Toronto, including its constituent colleges, save and except those represented or entitled to be represented by the University of Toronto Faculty Association, supervisors and those above the rank of supervisors, physicians, dentists, or other similar professional persons who are engaged in part-time teaching, research assistants or research associates."

The Association also requested that a Pre-Hearing Vote be held in the above unit. The University, in its Reply to the Application, stated that the Applicant Association had not proved its status as a trade union and that it should be required to do so before the Application was processed further. The University further requested that, because of the complexities involved, the Board should change the Application from a Pre-Hearing to a regular Application for Certification for reasons set out below.

In order to be entitled to a Pre-Hearing Vote, the Association had to prove that it represented at least 35 per cent of the employees in the Unit it proposed. The University filed a list containing approximately 3,500 names. The Association filed approximately 750 memberships which is well below the 35 per cent required to entitle the GAA to a vote.

The Association then amended its unit by letter dated April 11, 1974 as follows:

"All teaching assistants as defined below who are graduate students in the School of Graduate Studies of the University of Toronto. Teaching Assistants are defined as including teaching assistants, teaching fellows, demonstrators, tutors, markers, instructors, and laboratory assistants."

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Provost urges teaching assistants to vote on 'serious issue'

Professor D.F. Forster, vice-president and provost, has addressed the following letter to all persons employed as teaching assistants in academic year 1973-74:

To: Persons employed as Teaching Assistants in 1973-74

I would like to draw your attention to the fact that the Ontario Labour Relations Board ordered a vote to be held on May 22nd, 23rd, and 24th, of those employed as Teaching Assistants to determine whether you regard the academic purposes of teaching assistantships as best served by being represented by a union.

How you vote is for you alone to decide. I would, however, ask you to consider the following points:

- 1) If certified, the Graduate Assistants Association would have the exclusive right to bargain with the University concerning all phases of our relationship.
- 2) Individual bargaining to cover different situations and conditions throughout the University would be illegal.
- 3) If certified, the Graduate Assistants Association, which started out as a union representing graduate students, will have changed its character and represent some undergraduate students as well.

If the Association is certified, the University is required by law to bargain in good faith. We would do this. The following points, however, cause us concern:

- Will the Association want all students to be required to join the Association in order to be a Teaching Assistant?
- What dues will you be required to pay to the Association?
- What individual control will you retain over your own relationship with the University?

The schedule attached to this letter sets out the chain of events which have led to this vote. It is a cause for concern that a vote is being held at this time when so few of those to be represented are on the campus and entitled to vote. Nevertheless we strongly urge each of you to exercise your right to vote.

Because the Board has ordered the vote at this time, there is a danger that few people will decide for many. It must be realized that, if over fifty per cent of those voting are in favour of certification, no matter how small the turnout, and if the unit is ultimately determined to be appropriate, the Graduate Assistants Association will be certified as the bargaining agent.

The pre-hearing vote would, therefore, be the final vote on this matter.

This is a serious decision and we urge you to exercise your right to vote.

All eligible voters may exercise their vote at any of the polls. The locations and times that the polls will be open is attached.

D. F. Forster
Vice-President and Provost

History of events

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At a hearing before the Board, the Graduate Assistants Association again amended the application, this time to include undergraduate students.

This unit comprised approximately 1,900 persons, and the Board has held that the Association represents at least

35 per cent of this amended unit and has ordered a vote of the persons in the following voting constituency:

"All teaching assistants, teaching fellows, demonstrators, tutors, markers, instructors, and laboratory assistants who are undergraduate students, and graduate students in the School of Graduate Studies of the University of Toronto."

The persons entitled to vote as set out in the Board's decision are as follows:

Time and place of voting

Voters may cast at their proper polling place at any time during the period in which voting is to take place. The vote will be taken at the following time and place:

ST. GEORGE CAMPUS

- WED. May 22nd & THURS. May 23/74
- POLL NO. 1 SIDNEY SMITH BUILDING
9:00 A.M. to 5:00 P.M.
- POLL NO. 2 THE ROBARTS LIBRARY
9:00 A.M. to 9:00 P.M. (Wed)
9:00 A.M. to 5:00 P.M. (Thurs)
- POLL NO. 3 ROSEBRUGH HALL
(OLD ELECTRICAL BLDG.)
9:00 A.M. to 5:00 P.M.
- POLL NO. 4 MEDICAL SCIENCE BUILDING
9:00 to 5:00 P.M.
- POLL NO. 5 GALBRAITH BUILDING
9:00 A.M. to 5:00 P.M.
- POLL NO. 6 CONVOCATION HALL
FRIDAY May 24/74
9:00 A.M. to 5:00 P.M.

SCARBOROUGH CAMPUS

Wed. May 22nd & Thurs. May 23, 1974
GREAT HALL
9:00 A.M. to 5:00 P.M.

ERINDALE CAMPUS

Wed. May 22nd & Thurs. May 23, 1974
MAIN BUILDING
9:00 A.M. to 5:00 P.M.

OTHER POLLING STATIONS OPEN

Wed. May 22nd & Thurs. May 23, ONLY

- POLL NO. 1 CLARKE INSTITUTE
9:00 A.M. to 10:00 A.M.
WESTERN HOSPITAL
10:30 A.M. to 11:30 A.M.
MOUNT SINAI HOSPITAL
2:00 P.M. to 3:00 P.M.
TORONTO GENERAL HOSPITAL
3:15 P.M. to 4:15 P.M.
WOMEN'S COLLEGE HOSPITAL
12:30 P.M. to 1:30 P.M.
- POLL NO. 2 HOSPITAL FOR SICK CHILDREN
9:00 A.M. to 10:00 A.M.
SUNNYBROOK HOSPITAL
11:00 A.M. to 12:00 NOON
PRINCESS MARGARET HOSPITAL
1:15 P.M. to 2:15 P.M.
WELLESLEY HOSPITAL
2:30 P.M. to 3:30 P.M.
ST. MICHAEL'S HOSPITAL
4:00 P.M. to 5:00 P.M.
- POLL NO. 3 INSTITUTE FOR AEROSPACE STUDIES, Wed.
May 22, 1974
Downsview - 9:00 A.M. to 11:00 A.M.
DENTAL BUILDING, 124 EDWARD
Wed. May 22/74 12:30 P.M. to 5:00 P.M.
Thurs. May 23/74 9:00 A.M. to 12:30 P.M.

"All employees of the Respondent in the voting constituency on the 14th day of April 1974, who have not voluntarily terminated their employment or who have not been discharged for cause between the 14th day of April, 1974 and the date the vote is taken will be eligible to vote."

Following the Board's decision ordering the vote, the University wrote to the Board in part as follows:

"The majority decision does not indicate whether the vote should be as soon as possible or when the next academic year commences. On this point, I would refer you to the letter from the solicitor for the Applicant dated March 28, 1974, which states in part: "... This expedition is of paramount importance in this case since the academic year ends at the end of April, 1974, and a substantial number, if not most of the employees involved in the application will disperse to various parts of the country after that date for the summer period." This position is again stated in Mr. Dunn's letter dated April 3, 1974. We agree with these statements.

In paragraph six of the Board's decision those eligible to vote are set out. Of the 1,628 names of students enrolled in the School of Graduate Studies, 1,157 were terminated by April 30, 1974. Of the 247 undergraduates, 117 were terminated by April 30, 1974. The reason for these terminations is that the persons involved were hired for a specific period or periods for the 1973-74 academic year. The voting constituency has therefore been reduced by 67.9% and further terminations will occur this month.

We would, therefore respectfully request clarification and reconsideration of the Board's decision in light of the consistent position of the Board that any vote must be held when the employees are at work and will have an opportunity to exercise their franchise. Because of the number of terminations an early vote would be neither representative nor appropriate."

As stated above, the University had requested that the Pre-Hearing vote request be denied and that the Application be treated as a regular Application for Certification. What this would have meant is that the unit would have been properly determined and all persons entitled to vote properly identified. If the Association represented at least 35 per cent of the appropriate bargaining unit, then all persons in this unit at the date the *Labour Relations Board* ordered the vote would have been entitled to vote. The logical time for such a vote would have been in the fall term when the potential unit was at full strength.

To our disappointment, the University was unable to persuade the Association representatives that this course was the logical and fair one.

The University will continue to make representations to the Ontario Labour Relations Board on the matters outlined above, and, in particular, the inappropriate timing of this vote.